



Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MARK C. JACOBS, ATTORNEY AT LAW
3033 EL CAMINO AVE.
SACRAMENTO, CA 95821

September 9, 2010

NOTICE OF NON-ACCEPTANCE OF PATENT MAINTENANCE FEE

REGARDING PATENT NUMBER: 5794847

PAYMENT STATUS:

Payment Amount Received: \$ 2,120.00

Payment Year 11.5 (e.g., 3.5, 7.5, 11.5)

Payment will be refunded electronically by EFT.

PAYMENT RECEIPT DATE 08/31/2010
(Mailroom Date Stamp)

Your payment was not accepted for the following reason(s):

- ☐ 1. The maintenance fee for the above-identified patent was previously paid on _____.
☐ Information regarding the previous payment is stated in item 8 below.
- ☒ 2. The patent expired on 08/18/2010. See "Patent Expiration" section below.
- ☐ 3. The fee was paid too early. See 37 CFR 1.366(b). Pursuant to 37 CFR 1.362(d), the payment window will open for the above-identified patent on _____.
- ☐ 4. Your payment was not sufficient to cover the maintenance fee and any required surcharge for the above-identified patent. An additional amount of \$ _____ is/was required.
- ☐ 5. The above-identified patent was reissued. In accordance with 37 CFR 1.366(d), the reissue patent number and reissue application number must be provided.
- ☐ 6. The payment did not include corresponding patent and application numbers, and was not specially accepted.
- ☐ 7. The above-identified patent is not subject to maintenance fees. No maintenance fees are due on utility patents filed before 12/11/80. No maintenance fees are due on design patents or on plant patents. See 37 CFR 1.362(a) and (b). (The "Resubmitting Maintenance Fee Payment" and "Patent Expiration" sections below do not apply.)
- ☐ 8. Other: _____

Resubmitting Maintenance Fee Payment

The six (6) month "grace period" for paying the maintenance fee for the above-identified patent begins on _____ and ends on _____. In addition to the maintenance fee of \$ _____, a resubmitted payment filed in the USPTO during the 6 month "grace period" is required to include a surcharge of \$ _____. (See "Note" at the bottom of this Notice.)

To avoid patent expiration, the maintenance fee plus any required surcharge must be resubmitted in a manner that rectifies all of the indicated reason(s) for payment non-acceptance and *must be filed on or before the date the 6 month "grace period" ends*. Send by facsimile to the Office of Finance, Maintenance Fee Branch at (571) 273-6500, or by mail to the following address: Mail Stop M Correspondence, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450, to the attention of the individual who has signed below.

Patent Expiration

The date the six (6) month "grace period" ends becomes the expiration date of the above-identified patent if the required amount for paying the maintenance fee is not filed in the USPTO by that date. See 37 CFR 1.362(g). Expired patents may be reinstated if a petition as set forth in 37 CFR 1.378 is granted. If the above-identified patent has expired and reason number 5 or 6 above is the only reason indicated for payment non-acceptance, it is possible that the payment may be accepted if resubmitted with a petition as set forth in 37 CFR 1.377, rather than 37 CFR 1.378.

If you have any questions regarding this Notice, contact the Office of Finance, Maintenance Fee Branch at (571) 272-6500. Please ask for the individual who has signed below.

AK Dorethea Allen (571) 272-6317
Printed Name of USPTO Representative

Dorethea Allen
Signature of USPTO Representative

NOTE: All USPTO fees (including patent maintenance fees) are subject to change. If you are making a payment, visit the www.uspto.gov website or contact the Office of Finance to verify the amount due on the date payment is to be made. A maintenance fee payment can be timely made using the certificate of mailing or transmission procedure set forth in 37 CFR 1.8.



UNITED STATES PATENT AND TRADEMARK OFFICE

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P75M

MARK C JACOBS
3033 EL CAMINO AVENUE
SACRAMENTO CA 95821

DATE PRINTED

09/13/10

NOTICE OF PATENT EXPIRATION

According to the records of the U.S. Patent and Trademark Office (USPTO), payment of the maintenance fee for the patent(s) listed below has not been received timely prior to the end of the six-month grace period in accordance with 37 CFR 1.362(e). THE PATENT(S) LISTED BELOW HAS THEREFORE EXPIRED AS OF THE END OF THE GRACE PERIOD. 35 U.S.C. 41(b). Notice of the expiration will be published in the USPTO Official Gazette.

Expired patents may be reinstated in accordance with 37 CFR 1.378 if upon petition, the maintenance fee and the surcharge set forth in 37 CFR 1.20(i) are paid, AND the delay in payment of the maintenance fee is shown to the satisfaction of the Director to have been unavoidable or unintentional. 35 U.S.C. 41(c)(1).

If the Director accepts payment of the maintenance fee and surcharge upon petition under 37 CFR 1.378, the patent shall be considered as not having expired but would be subject to the intervening rights and conditions set forth in 35 U.S.C. 41(c)(2).

For instructions on filing a petition under 37 CFR 1.378 to reinstate an expired patent, customers should call the Office of Petitions Help Desk at 571-272-3282 or refer to the USPTO Web site at www.uspto.gov/web/offices/pac/dapp/petitionspractice.html. The USPTO also permits reinstatement under 37 CFR 1.378(c) by electronic petition (e-petition) using EFS-Web; e-petitions may be automatically granted if all the eligibility requirements are met. For further information on filing an e-petition, please call the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100 or refer to the EBC's e-petition guide at www.uspto.gov/ebc/portal/efs/petition_quickstart.pdf.

| PATENT NUMBER | U.S. APPLICATION NUMBER | PATENT ISSUE DATE | APPLICATION FILING DATE | EXPIRATION DATE | ATTORNEY DOCKET NUMBER |
|------------------|-------------------------------|----------------------|----------------------------|--------------------|---------------------------|
| 5794847 | 08738415 | 08/18/98 | 10/25/96 | 08/18/10 | 1525A |

Storfer

NOTE: This notice was automatically generated based on the amount of time that elapsed since the date a patent was granted. It is possible that the patent term may have ended or been shortened due to a terminal disclaimer that was filed in the application. Also, for any patent that issued from an application filed on or after June 8, 1995 containing a specific reference to an earlier filed application or applications under 35 U.S.C. 120, 121, or 365(c), the patent term ends 20 years from the date on which the earliest such application was filed, unless the term was adjusted or extended under 35 U.S.C. 154 or 156.

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90-78-1211

1832

Pay 26,200

\$2120.00

Twenty One Thousand Two Hundred Twenty — 2/1/2000

BANK OF THE WEST

1500 3rd Street East
Sacramento, CA 95811

MP

END-5118 DBK SCENIC AMERICAN

PATENT

Client Name & Docket No. RUSSELL STOCKER 1525A
 Title: ASSISTED INSERT DISPENSING APPARATUS
 Applicant: RUSSELL STOCKER
 Ser. # / Pat. # 5,794,847 Filing Date: 8/18/98

Please acknowledge receipt of:

- ☐ Application having _____ pages of specification and claims, and _____ sheets of drawings, FIG(S).
- ☐ Declaration/Oath
- ☐ Power of Attorney
- ☐ Small Entry Statement
- ☐ Check # _____
- ☐ Patent Assignment Cover Sheet
- ☐ Assignment
- ☐ Check # _____
- ☐ Letter
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449 & Refer.
- ☐ Certification
- ☐ Petition
- ☐ Check # _____
- ☒ Mailed 8/26/98
- ☐ Amendment
- ☐ Request for Priority and Pri. Doc.
- ☐ Reply to Office Action
- ☐ Request for Ext. of Time
- ☐ Check # _____
- ☐ Amendment After Final Rejection
- ☐ Request for Ext. of Time
- ☐ Check # _____
- ☐ Corrected Drawings
- ☐ Issue Fee Transmittal
- ☐ Check # _____
- ☐ Other _____
- ☒ Maintenance Fee Transmittal Form
- ☐ Check # 18337
- ☐ Cert. of Mailing
- By [Signature]

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Law Office of

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MARK C. JACOBS

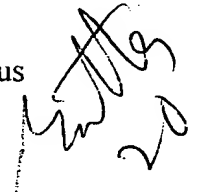
Registered Patent Attorney

Mr. Russell Stocker
Arena Pesticide Management, Inc.
2304 Foster Court
Woodland, Ca 95776-5001

April 14, 2010

Dear Russell,

RE: U.S. Patent - 12 Year Maintenance Fee
Title: Air Assisted Insect Dispensing Apparatus
File No: 1525 A
Patent No. 5,794,847



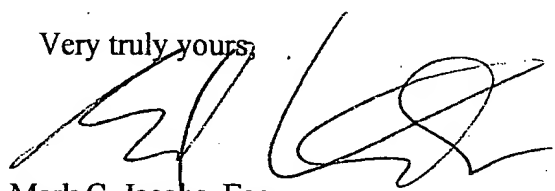
According to our records, your above numbered patent, is due for the 12 year maintenance payment in order to keep the patent alive. While the deadline to submit the maintenance fee for the patent listed above without paying a surcharge is August 18, 2010, **we request your payment to be received on or before July 18, 2010 to allow adequate time for processing.** You can still pay the maintenance fee up to October 18, 2010, but you will have to pay a surcharge for being late.

We must receive your payment no later than the deadline noted above. All USPTO fees are subject to change; as a result thereof, you may see a surcharge in your billing statement. USPTO fees usually increase, effective October 1st. The current fee amount is \$2655.00. Please make your check payable to Mark Jacobs, and we will handle this matter for you.

If you are no longer interested in maintaining your patent, sign this letter below, and mail or fax it back to this office so that we can update our files and cease further activity.

A small bill will follow at the end of the month summarizing this letter.

Very truly yours,



Mark C. Jacobs, Esq.

MCJ/dm

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays valid OMB control number.

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))

| Patent Number | Issue Date (YYYY-MM-DD) | Application Number | Filing Date (YYYY-MM-DD) | Docket Number (if applicable) |
|---------------|----------------------------|-----------------------|-----------------------------|-------------------------------|
| 5,794,847 | 1988-08-18 | | | 1525 |

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

| NOT Small Entity | | | Small Entity | | |
|---------------------------------|--------|--|--|--------|--|
| Fee | Code | | Fee | Code | |
| <input type="radio"/> 3 ½ year | (1551) | | <input type="radio"/> 3 ½ year | (2551) | |
| <input type="radio"/> 7 ½ year | (1552) | | <input type="radio"/> 7 ½ year | (2552) | |
| <input type="radio"/> 11 ½ year | (1553) | | <input checked="" type="radio"/> 11 ½ year | (2553) | |

SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition.

STATEMENT

THE UNDERSIGNED CERTIFIES THAT THE DELAY IN PAYMENT OF THE MAINTENANCE FEE TO THIS PATENT WAS UNINTENTIONAL

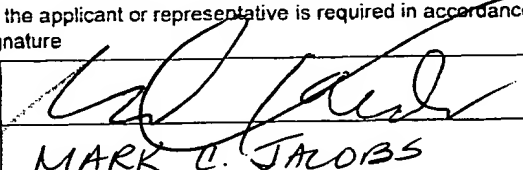
PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

I certify, in accordance with 37 CFR 1.4(d)(4) that I am

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office
- ☐ A sole patentee
- ☐ A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees.
- ☐ A joint patentee; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest

| Patent Practitioner | | | |
|---|---|---------------------|------------|
| A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature | | | |
| Signature |  | Date (YYYY-MM-DD) | 2010-12-08 |
| Name | MARK C. JACOBS | Registration Number | 24043 |
| <p>This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in reinstating the patent.</p> | | | |

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Law Office of

MARK C. JACOBS

www.gadgetlaw.com

Registered Patent Attorney

United States Patent and Trademark Office
Office of Finance
Receipts Accounting Division

ATTENTION: Dorethea Allen

Re: Unintentionally delayed payment of maintenance fees in an Expired Patent
Russell Stocker
Patent# 5,794,847

Dear Dorethea,

Thank you for your assistance in the above referenced matter. Please find enclosed the forms that you so kindly faxed to us completed and also the copies of all documents that were sent previous to our conversation.

Please note that the check we are submitting to the USPTO is for the amount of \$1640.00 which is the petition fee for acceptance of the late payment of the 3rd sm all entity maintenance payment of \$2055.00, plus the \$65.00 surcharge for a total of \$2120.00, previously submitted.

If we are missing anything of the balance owing has changed, please advise us by phone or fax.

Thank you again for your help in this matter.

Cordially yours,



Mary "Dester" Martin, Assistant to Mark Jacobs

PATENT

Client Name & Docket # RUSSELL STOCKER 1585 A

Title: ALC ASSIGNED SUBJECT DISPOSITION, APPARATUS

Applicant: RUSSELL STOCKER

Ser. # / Pat. # 5,794,847

Please acknowledge receipt of:

- ☐ Application having _____ pages of specification and _____ sheets of drawings, FIG(S).
- ☐ Declaration/ oath
- ☐ Power of Attorney
- ☐ Small Entity Statement
- ☐ Check # _____
- ☐ Patent Assignment Cover Sheet
- ☐ Assignment
- ☐ Check # _____
- ☐ Letter
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449 & Refer.
- ☐ Certification
- ☐ Petition
- ☐ Check # _____
- ☒ Mailed

By [Signature]

- ☐ Cert. of Mailing
- ☐ Check # 1879
- ☒ Maintenance Fee Transmittal Form
- ☒ Other LETTER TO AGENCY UN-INTENTIONALLY DELAYED PAYMENT OF
- ☐ Check # _____
- ☐ Issue Fee Transmittal
- ☐ Corrected Drawings
- ☐ Check # _____
- ☐ Request for Exr. of Time
- ☒ Amendment After Final Rejection
- ☐ Check # _____
- ☐ Request for Exr. of Time
- ☐ Reply to Office Action
- ☐ Request for Priority and Pri. Doc.
- ☐ Amendment

Filing Date: 8/18/98

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90-78-1211

1879

Dec 8, 2010

US PTO

\$ 1640.00

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[Signature]

[Signature]